

'08 MJ 2175

FILED

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

2008-16 AM 10:45

7/16

UNITED STATES OF AMERICA,

CLERK'S
Magistrate Docket No.
SOUTHERN DISTRICT OF CALIFORNIA

Plaintiff,

BY *J*COMPLAINT FOR VIOLATION OF:

v.

Title 8, U.S.C., Section 1326
Deported Alien Found in the
United States

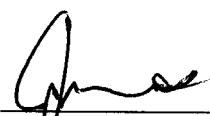
Salvador GONZALEZ-Gonzalez,

Defendant

The undersigned complainant, being duly sworn, states:

On or about **July 14, 2008** within the Southern District of California, defendant, **Salvador GONZALEZ-Gonzalez**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


 SIGNATURE OF COMPLAINANT
 James Trombley
 Senior Patrol Agent
SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 16th DAY OF JULY, 2008

 Cathy A. Bencivengo
 UNITED STATES MAGISTRATE JUDGE

CONTINUATION OF COMPLAINT:
Salvador GONZALEZ-Gonzalez

Twm

PROBABLE CAUSE STATEMENT

On July 14, 2008, at approximately 11:45 a.m., Supervisory Border Patrol Agent J. Acosta responded to the activation of a seismic intrusion device Northeast of the Tecate, California Port of Entry. Upon arriving in the area, Agent Acosta found footprints heading in a northerly direction on a trail. Agent Acosta followed the footprints for approximately 1.5 miles until he encountered three individuals resting beneath a tree. Agent Acosta approached the three and identified himself as a United States Border Patrol Agent and conducted an immigration inspection. All three individuals, including one later identified as the defendant **Salvador GONZALEZ-Gonzalez**, admitted to being citizens and nationals of Mexico illegally present in the United States and without any immigration documents. All three were arrested and transported to the Tecate Processing Center in Tecate, California.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico on July 7, 2008** through **Calexico, California**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.